

## REGULAR MEETING MINUTES

April 23, 2019 at 6:30 pm

A regular meeting of the Mayor and Council of the Borough of Bradley Beach was held in the Meeting Room, 701 Main Street, Bradley Beach, New Jersey on the above date.

### CALL TO ORDER

Mayor Gary Engelstad opened the meeting with a salute to the flag.

Sunshine Law

The meeting has been noticed publicly according to the Open Public Meetings Act requirement for the "Annual Notice", and posted on the official bulletin board.

### ROLL CALL 6:30 pm

Present: Council: Weber, Bonnell, Cotler  
Mayor Engelstad  
Borough Attorney Marguerite Schaeffer  
Municipal Clerk/Administrator Kelly Barrett  
Chief Financial Officer, Gail Krzyzczuk  
Deputy Municipal Clerk, Erica Kostyz

ON MOTION by Engelstad/Weber to approve the Regular Meeting  
Minutes of April 9, 2019

ROLL CALL AYES: Weber, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: Goldfarb  
ABSTAIN: None

ON MOTION by Engelstad/Weber to approve the Special Meeting  
Minutes of April 17, 2019

ROLL CALL AYES: Weber, Bonnell, Engelstad  
NAYS: None  
ABSENT: Goldfarb  
ABSTAIN: Cotler

Mayor Engelstad stated that a request was received for an additional food truck concession at the beachfront promenade.

ON MOTION by Engelstad/Weber to add to the agenda a resolution authorizing  
the advertisement of a Bid for a healthy food truck at the beachfront  
promenade and move said resolution to the consent agenda

ROLL CALL AYES: Weber, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: Goldfarb  
ABSTAIN: None

**PUBLIC COMMENT**

Thomas Coan, 612 Third Avenue, expressed concerns regarding the delay in adopting the municipal budget and the length of time the public was allotted to review the budget. He requested the budget process begin in November.

Tim Sexsmith, 500 LaReine Avenue, expressed concerns regarding the sale of glow sticks and requested moving forward that the governing body prohibit the sale of disposal plastic items.

**ORDINANCE 2019-15**

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 450, ZONING

ON MOTION by Engelstad/Weber to introduce Ordinance 2019-15

ROLL CALL AYES: Weber, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: Goldfarb  
ABSTAIN: None

**PENDING**

ON MOTION by Engelstad/Weber to add to the consent agenda the request from St. Teresa of Calcutta to hold a Sunday Mass at the beachfront on 5/19/19

ROLL CALL AYES: Weber, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: Goldfarb  
ABSTAIN: None

ON MOTION by Engelstad/Cotler to add to the consent agenda the request from the First Aid Squad to sell glow sticks at the Fourth of July Firework display with the notification that similar requests may not be approved in the future

ROLL CALL AYES: Weber, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: Goldfarb  
ABSTAIN: None

Councilman Cotler stated that prohibiting such sales will impact the revenue source for the First Squad as well as the BBES as they participate in the fund raiser.

Mayor Engelstad stated that the concern regarding the sale of disposal plastic items brought up was valid one. He requested the First Aid Squad & School be notified, giving them time to look for an alternative product to sell next year.

ON MOTION by Engelstad/Weber to approve the Consent Agenda

ROLL CALL AYES: Weber, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: Goldfarb  
ABSTAIN: None

## **CONSENT AGENDA**

- Resolution 2019-82** Authorized a Temporary Budget
- Resolution 2019-83** Authorized a Tax Title Lien Redemption at 812 Main Street (Block 31 Lot 1) in an amount of \$71,803.46
- Resolution 2019-84** Authorized a Senior Citizen deduction at 327 Park Place Avenue (Block 23 Lot 1)
- Resolution 2019-85** BILL LIST
- Resolution 2019-86** Authorized Gerald, Freda, Borough Engineer to perform engineering services and an Open Space grant application for the boardwalk between Newark and Cliff Avenue(s) in an amount not to exceed \$3,500.
- Resolution 2019-87** Authorized the appointment of Arye Janoff to the Environmental Commission
- Resolution 2019-88** Authorized an Outdoor Café' License for "Rare, Bradley Beach", 401 Main Street
- Resolution 2019-89** Authorized the Living Word Christian Fellowship to hold the St. Jude Children's Hospital Walk on Saturday, June 8, 2019 from 6:00 am to 12:00 pm on the beachfront promenade
- Resolution 2019-91** Authorized the advertisement of a Bid for a food truck at the beachfront promenade

Authorized St. Teresa of Calcutta, Parish of the Ascension, to hold Sunday Mass on May 19, 2019 at 3 pm at the Fifth Avenue Gazebo.

Authorized the Bradley Beach First Aid Squad to sell glow necklaces at the Fourth of July Firework display with the stipulation that it is highly unlikely that the sale of glow sticks sale will be approved in the future.

## **APPROVED**

A conversation ensued regarding the request for a structural engineer to review the retired sump pump station.

Councilman Weber expressed concerns that no use for building has been established and it will take a lot of work to rehab the building. He stated that we are better off knocking it down and questioned if the contractor doing the work would bring in their own structural engineer.

Councilman Bonnell expressed concerns regarding the money spent on the building and not having a plan for the building. He stated that the structural engineer review should be the responsibility of the contractor and should be included in the bid specs. He stated the DPW could knock the building down and build a pad.

Ms. Barrett stated that the purpose of the structural engineer review is to determine if the building is sound. The cost of knocking the building down and filling in the pumps below would be astronomical. It would also require DEP approval and a CAFRA permit. The plan for the building is to go out to bid which would include specifications requiring a total rehab of the building, a long term lease and credit towards the rent. A new concession at that location would create beach revenue and provide an additional concession/service for the public.

Ms. Schaffer stated that she had prepared the bid specs for the rehab of the building and putting the onus of a structural engineer on bidder may be over reaching and may impact bids being submitted.

Councilman Cotler stated that it would be prudent to have a structural engineer review of the building prior to going out to bid.

ON MOTION by Engelstad/Cotler to authorize William Doll, PE of Maser Consulting to perform a structural engineer review of the retired sewer pump station in an amount not to exceed \$2,500.

ROLL CALL  
AYES: Cotler  
NAYS: Weber, Bonnell  
ABSENT: Goldfarb  
ABSTAIN: None

ON MOTION by Cotler/Engelstad to relist the request for a structural engineer review of the retired sewer pump station to the next meeting giving the entire Council the opportunity to vote.

ROLL CALL  
AYES: Weber, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: Goldfarb  
ABSTAIN: None

#### **Recess to review Public Access Plan**

ON MOTION by Engelstad /Weber to approve the Municipal Public Access Plan

ROLL CALL  
AYES: Weber, Bonnell, Cotler, Engelstad  
NAYS: None  
ABSENT: Goldfarb  
ABSTAIN: None

**Resolution 2019-90** Authorized the Beach Municipal Public Access Plan

**APPROVED**

#### **MAYOR AND COUNCIL REPORTS**

Councilman Weber stated he was pleased with the Strategic Planning meeting. He continued, we had a good turnout for Clean Ocean Action and the Fire Department Fish Fry was a success. He commented that Arye Janoff would be an asset to the Environmental Commission. He reminded everyone of the “Porchfest” and “Hands Across the Sand” on May 18<sup>th</sup>. He mentioned a letter received requesting dogs being permitted to be walked on the promenade and requested sandwich board signs be placed at the beachfront promenade as a reminder: “No Dogs Allowed”.

Mayor Engelstad stated that the Board of Education has a budget meeting scheduled for May 7<sup>th</sup>. He continued, it was unfortunate that the Egg Hunt was cancelled twice due to rain.

## **PUBLIC COMMENT**

William Psiuk, 110 Fifth Avenue, thanked Councilman Cotler for making a motion to relist the resolution authorizing a structural engineer review of the retired sump pump station.

Eileen Shissas, 112 Fourth Avenue, expressed concerns regarding the rehab of the retired sump pump station and a rent credit for the rehabilitation of the building.

Julie Nutaitis, 605 Fourth Avenue, commented that she was in favor of sandwich boards on the beachfront promenade.

John Naples, 506B Ocean Avenue, expressed concerns regarding the placement of a food truck on Brinley Avenue as it will impact the resident's view of the beachfront.

Joe Albanese, 405 ½ Ocean Park Avenue, requested a cost analysis be prepared of the surrounding rents received for concessions.

Henry Machos, 209 Third Avenue, expressed concerns regarding food trucks being placed in front of properties as it will impact property values.

Terry Wright, 406 Madison Avenue, stated that he did not understand the discussion regarding the retired sump pump station as it will benefit the borough. The \$2,500. spent is a drop in the bucket compared to the revenue that will be generated from the building.

Thomas Coan, 612 Third Avenue, expressed concerns regarding the revenue received from concessions at the beachfront. He expressed further concerns regarding the public's inability to review the Municipal Access Plan. He requested an informal public meeting anytime the borough is building or making changes.

Engelstad/Cotler moved to adjourn

ADJOURN 7:30 PM

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KELLY BARRETT RMC, CMR  
Municipal Clerk/Administrator